

2009 JUL 27 A 11:39

ORDINANCE NO 2009-14

CINDY MURRAY

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, TO REZONE CERTAIN
REAL ESTATE, FROM R3/NB/R1B TO PDRS

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,
TIPPECANOE COUNTY, INDIANA:

Section I. The Unified Zoning Ordinance of Tippecanoe County, Indiana, being a separate ordinance and part of the Municipal Code of Lafayette, Indiana, is hereby amended to rezone the following described real estate situated in Fairfield Township, Tippecanoe County, Indiana, to wit:

(See legal description attached hereto)

Section II. The real estate described above should be and the same is hereby rezoned from R3/NB/R1B to PDRS.

Section III. This ordinance shall be in full force and effect from and after its passage.

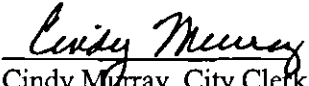
PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,
INDIANA THIS 3 DAY OF Aug 2009.


Steven P. Meyer, Presiding Officer

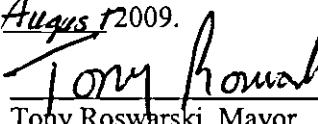
ATTEST:

Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on the 3 day of August, 2009


Cindy Murray, City Clerk

This Ordinance approved and signed by me on the 3 day of August 2009.


Tony Roswarski, Mayor

ATTEST:

Cindy Murray, City Clerk

EXHIBIT A

LEGAL DESCRIPTION-MODERNIZED OVERALL

A part of the Northwest Quarter of Section 23, Township 23 North Range 4 West, City of Lafayette, Fairfield Township, Tippecanoe County, Indiana; said part being depicted on a Plat of Survey by TBIRD Design Services Corp. Project Number 09009 and more completely described as follows:

Commencing at the Northwest corner of said Section 23; thence South 01°23'04" East, along the west line of said section 61.75 feet to the south right-of-way line of Greenbush Street as described in Record Book 314, Page 590, recorded February 13, 1969 in the Office of the Tippecanoe County Recorder and Point of Beginning; thence South 88°18'43" East, along said right-of-way line, 1074.01 feet to the west right-of-way line of Shenandoah Drive as per the plat of Vinton Highlands Subdivision-Part 2 Section 1, recorded in Plat Cabinet B-177; thence along said west right-of-way line as per the plat of said Vinton Highlands Subdivision-Part 2-Section 1, Vinton Highlands Subdivision-Part 2-Section 2, recorded in Plat Cabinet B-199 and Vinton Highlands Subdivision-Part 2-Section 3, recorded in Plat Cabinet B-121, South 00°21'22" East 1200.37 feet to a northeasterly line of Vinton Highlands Subdivision-Part 2-Section 5; thence North 50°17'41" West along said northeasterly line, 1394.38 feet to the west line of said Section 23; thence North 01°23'04" West along said west section line, 341.31 feet to the Point of Beginning, containing 18.91 acres, more or less.

SUBJECT TO ALL EASEMENT, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.



CINDY MURRAY
CITY CLERK

Certificate

STATE OF INDIANA)
)
COUNTY OF TIPPECANOE) SS:
)
CITY OF LAFAYETTE)

This is to certify that the Common Council of the City of Lafayette did pass Ordinance 2009-14 at their regular meeting on the 3rd day of August 2009
The vote was 8 ayes and 0 nays.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LAFAYETTE, INDIANA
ON THIS 3rd DAY OF August 2009.


Cindy Murray
City Clerk, City of Lafayette

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242
(765) 423-9154 [FAX]
www.tippecanoe.in.gov/apc

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

July 16, 2009
Ref. No.: 09-208

Lafayette City Council
20 North 6th Street
Lafayette, IN 47901

CERTIFICATION

RE: **Z-2410--BDCIN, LLC (Chatham Square) (R3, NB, & R1B to PDRS):**

Petitioner, represented by Peter Levavi, is requesting rezoning of an 18.93 acre site to allow construction of a mix of single-family homes and multi-family apartments incorporating 82-125 units with associated community center, parking and open space. The property is located on the southwest corner of the intersection of Greenbush Street and Shenandoah Drive, Lafayette, Fairfield 23 (NW) 23-4.

Dear Council:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on July 22, 2009 the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to rezone the subject real estate from R3, NB & R1B to PDRS. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Lafayette City Council that the proposed rezoning ordinance be **APPROVED** for the property described in the attachment, contingent on meeting all requirements of UZO 2-27-10 for submission of Final Detailed Plans, signed off by those noted in that section to include:

1. All sheets (other than preliminary plat) that make up the approved Preliminary Plan;
2. PD construction plans per UZO Appendix B2-2;
3. A final plat per UZO Appendix B-3-2 as applicable;
4. ~~Appropriate surety submitted with final detailed plans;~~
5. Plant schedule approved by the City of Lafayette;
6. A "No Vehicular Access" statement platted along the street rights-of-way lines except drives shown and approved by the City Engineers;
7. A street lighting and photometric plan approved by the Area Plan Commission and the City of Lafayette

Restrictive Covenants – The following item shall be part of the planned development's covenants made enforceable by the Area Plan Commission and irrevocable by the lot owners:

8. The Declaration of Covenants for Chatham Square
9. Bus shelter shall be maintained by the property owner .

Public Notice has been given that this petition will be heard before the Lafayette Common Council at their August 3, 2009 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,


Sallie Dell Fahey
Executive Director

SDF/lmu

Enclosures: Staff Report & Ordinances

cc: David Brint, BDCIN LL
Lafayette Redevelopment Commission
Joseph Bumbleburg
Aaron Hurt
Jenny Miller, Lafayette City Engineer
Comcast
Vectren
Verizon
Duke Energy